Attorney Docket No.: 15574-50836

MORRIS, MANNING & MARTIN, LLP

United States Patent Application

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the of are named below) of the subject m	original, first and sole inventor (natter which is claimed and for v	if only one name is list which a patent is sough	ed below) or on the inven	a joint inventor (if plural inventors tion entitled: "A Fence Panel"
The specification of which a. ☐ is attached hereto b. ☑ was filed on ☐ July 6, PCT/AU2003/001731, filed 31 De	2005, 2005 as application ecember 2003.	serial no.	, cl	aiming priority to
I hereby state that I have reviewed any amendment referred to above.	and understand the contents of	the above-identified sp	ecification, ir	ncluding the claims, as amended by
certificate listed below and have a that of the application on the basis	lso identified below any foreign of which priority is claimed:	tes Code, § 119/365 of application for patent o	any foreign a or inventor's c	pplication(s) for patent or inventor's certificate having a filing date before
a. ☐ no such applications have be b. ☑ such applications have been				
FOR	EIGN APPLICATION(S), IF ANY, O	CLAIMING PRIORITY UN	DER 35 USC §	119
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)		DATE OF ISSUE (day, month, year)
Australia	2003900022	6 January 2003		
Australia	2003257926	29 October 2003		
ALL FORE	IGN APPLICATION(S), IF ANY, FI	LED BEFORE THE PRIO	RITY APPLICA	ATION(S)
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)		DATE OF ISSUE (day, month, year)
manner provided by the first paragi	natter of each of the claims of the raph of Title 35, United States (all Regulations, § 1.56(a) which (all regulations)	is application is not dis Code, § 112, I acknowle	closed in the code the duty	international application(s) listed prior United States application in the to disclose material information as he prior application and the national
U.S./PCT APPLICATION NUMBE	ER DATE OF FILING (DATE OF FILING (day, month, year)		(patented, pending, abandoned)
PCT/AU2003/001731	31 December 2003	31 December 2003		
I hereby claim the benefit under Ti	tle 35, United States Code § 119	9(e) of any United State	s provisional	application(s) listed below:
U.S. PROVISIONAL AF	DA	DATE OF FILING (Day, Month, Year)		

I acknowledge the duty to disclose information that is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56 (reprinted below):

§ 1.56 Duty to disclose information material to patentability.

- (a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:
 - (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and
 - (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim;

or

- (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

- (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
 - (1) Each inventor named in the application:
 - (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.
- (e) In any continuation-in-part application, the duty under this section includes the duty to disclose to the Office all information known to the person to be material to patentability, as defined in paragraph (b) of this section, which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby appoint the following attorney(s) and/or patent agent(s) connected herewith the following customer number to prosecute this application and to transact all business in the Patent and Trademark Office:

CUSTOMER NO. *24728*

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/ organization who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Morris, Manning & Martin, LLP to the contrary.

I understand that the execution of this document, and the grant of a power of attorney, does not in itself establish an attorney-client relationship between the undersigned and the law firm Morris, Manning & Martin, LLP, or any of its attorneys.

Please direct all correspondence in this case to John R. Harris, Esq. of Morris, Manning & Martin, LLP at the address associated with the following customer number:

CUSTOMER NO. *24728*

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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Sign	nature of Inventor 1:	x Hodal	Date: >	(10/6/05